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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/105,705	06/26/1998	THOMAS JOKERST	4172-4913	5902

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ONE FIRSTAR PLAZA  
SUITE 3500  
ST LOUIS, MO 63101

EXAMINER

CATHEY, DAMIAN E

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 08/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/105,705

Applicant(s)

JOKERST, THOMAS

Examiner

Damian E. Cathey

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 and 18-22 is/are allowed.
- 6) ☒ Claim(s) 13-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Wollmerschauser et al. U.S. Patent No. 5,091,707 of record.

Referring to claim 13, Wollmerschauser et al. disclose (Fig. 1) a coaxial network comprising a coaxial cable, 12, traversing a distance between a first site and a second site, having an outer shield (See Wollmerschauser et al. Col. 4, line 36), and an RF choke, 16, connected in series between a ground reference source, 1 (i.e. the chassis or housing inherently is grounded and thus serves as a ground reference source) and the coaxial cable outer shield.

In reference to claim 14, Wollmerschauser et al. disclose (Fig. 1) a coaxial network comprising an RF choke, 16, formed of a ferrite toroid, 8 (See Wollmerschauser et al. Col. 4, line 66), and a conductor, 12, wound about the ferrite toroid, 8.

Art Unit: 2817

Referring to claim 15, Wollmerschauser et al. disclose (Fig. 1) a coaxial network comprising an RF choke, 16, formed of ferrite (See Wollmerschauser et al. Col. 4, line 66), and is adapted (i.e. able) so that it can be placed around a ground wire.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wollmerschauser et al. U.S. Patent No. 5,091,707 of record.

Referring to claim 16, Wollmerschauser et al. disclose that the first toroid attenuates RF signals in a low to middle television frequency band and the second toroid attenuates RF signals in a high to very high television frequency band (See Wollmerschauser et al. Col. 8, line 15), but is silent as to the specific ranges.

Claim 16 states that the choke attenuates RF signals in a frequency band from 5 MHz to 42 MHz, which is not stated by Wollmerschauser et al.

Art Unit: 2817

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have further modified the device of Wollmerschauser to form the toroid to attenuate RF signals in a frequency band from 5 MHz to 42 MHz.

The above modification would have been considered obvious since it has been held that when the general conditions of a claim are disclosed, finding the optimum or workable ranges involves only routine skill in the art, thereby suggesting the obviousness of such a modification.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wollmerschauser et al. U.S. Patent No. 5,091,707 (cited by applicant) in view of Fawal et al. U.S. Patent No. 6,049,258 of record.

Referring to claim 17, Wollmerschauser et al. disclose that the ferrite form, 8, is constructed of #43 ferrite material.

Claim 17 states that "the ferrite form is constructed of #77 ferrite material." which is not stated by Wollmerschauser et al.

Fawal et al. disclose (Fig. 4) a signal filter transformer having a ferrite core constructed of #77 ferrite material (See Fawal Col. 6, line 1). Fawal et al. further disclose that changing the materials to make the ferrite core, 450, can vary the magnetizing inductance (See Fawal Col. 8, line 28).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have further modified the filter of Wollmerschauser et al. to have constructed the ferrite from ferrite #77.

Art Unit: 2817

The above modification would have been considered obvious since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art, thereby suggesting the obviousness of the claim because different ferrites attenuate different frequencies.

### ***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter: Wollmerschauser et al. neither discloses nor suggests a filter for reducing RF interference on a coaxial network comprising a terminal coupler provided at one end of the conductor ends in order to electrically couple the choke between a coaxial network ground block and a ground reference source.

### ***Response to Arguments***

Applicant's arguments filed 06/12/02 have been fully considered but they are not persuasive.

Applicants argue that there is no series connection between an RF choke, a ground reference source, and the coaxial cable outer shield. As the claim is written, it should be noted that the housing or chassis of Wollmerschauser et al. inherently can be grounded such as to function as a ground reference source, which is, indeed,

Art Unit: 2817

connected in series with the RF choke and coaxial cable outer shield, as recited in claim 13.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Damian E. Cathey whose telephone number is 703-305-1631. The examiner can normally be reached on 7:00 - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pascal can be reached on 703-308-4909. The fax phone numbers for

Art Unit: 2817

the organization where this application or proceeding is assigned are 703-746-7266 for regular communications and 703-305-0142 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-

0956.



BENNY T. LEE  
PRIMARY EXAMINER  
ART UNIT 2817

dc

August 23, 2002